IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 22ND JUNE, 2007 / 1ST ASHADHA, 1929

WP(C).No. 17755 of 2007(L)

PETITIONER:

P.KANAKARAJAN, AGED 39 YEARS,
S/O. PARANGODAN, POTTANKUNNATHU HOUSE,
MANISSERY P.O., OTTAPALAM, PALAKKAD DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:

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1. THE EXCISE COMMISSIONER,
COMMISSIONERATE OF EXCISE, THIRUVANANTHAPURAM.

2. THE ASST. EXCISE COMMISSIONER,
PALAKKAD.

3. THE CIRCLE INSPECTOR OF EXCISE,
OTTAPALAM, PALAKKAD DISTRICT.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO.17755 OF 2007 - L

Dated this the 22nd day of June, 2007

J U D G M E N T

The petitioner along with another applied for allotment of five toddy shops in Group No.IV in Ottappalam Excise Range. Toddy Shop No.50 (old No.15), which was earlier in existence till 31.3.2002, is restored in the year 2007-08 and is included in the toddy shops in Group No.IV. The petitioner applied for licence in the earlier location which was not acceded to. When the petitioner started constructing a toddy shop in another location for the purpose of getting the licence issued in their favour, the local people objected. Therefore, the petitioner filed Ext.P4 application before the second respondent for establishment of the toddy shop in the earlier location where the toddy shop was prior to 31.3.2002. The petitioner seeks a consideration and disposal of Ext.P4.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, I direct the second respondent to consider and pass appropriate orders on Ext.P4 in accordance with law, as expeditiously as possible, at any rate within a period of one month from the date of receipt of a copy of this judgment. However, I make it clear that I have not considered the entitlement of the petitioner for such reliefs prayed for in Ext.P4 and it would be for the second respondent to decide independently on the basis of the rules applicable.

The writ petition is disposed of as above.

Sd/-
S. SIRI JAGAN,
Judge

Mbs/

-true copy-

P.A.to Judge

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007